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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Danishefsky *et al.* Examiner: Solola, T. A.  
Serial No.: 10/695,582 Art Unit: 1626  
Filed: October 28, 2003  
For: SYNTHESIS OF EPOTHILONES, INTERMEDIATES THERETO,  
ANALOGUES AND USES THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

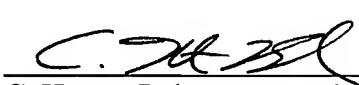
Sir:

**NOTICE OF APPEAL TO BOARD UNDER 37 C.F.R. § 41.31**

Applicant hereby appeals the rejection of pending claims 1-15 in the above-referenced application. These claims have been twice rejected as required by 37 C.F.R. § 41.31(a)(1). Previously the claims were rejected in U.S. Patent Application U.S.S.N. 09/874,514, filed June 5, 2001. The current rejection of these claims in the above-referenced case was mailed August 31, 2004. A check in the amount of \$370.00 to cover the fee as set forth in 37 C.F.R. § 41.20(b) is enclosed.

Please charge any other fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

  
C. Hunter Baker, M.D., Ph.D.  
Registration No. 46,533

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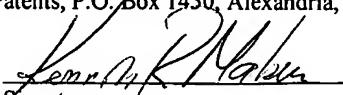
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